

Exhibit D

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

CRAIG WILSON, ERIC BELLAMY,
KENDAL NELSON, and MAXIMINO
NIEVES, on behalf of themselves and those
similarly situated,

Petitioners,

v.

MARK WILLIAMS, warden of Elkton
Federal Correctional Institutions; and
MICHAEL CARVAJAL, Federal Bureau of
Prisons Director, in their official capacities,

Respondents.

Case No. 20-cv-0794

Judge James Gwin

DECLARATION OF DAVID MILLS

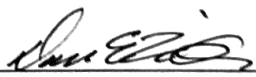
I, David Mills, declare as follows:

1. I am over the age of 18 and fully competent to make this declaration. I have personal knowledge of the subject matter of all statements herein.
2. I am an attorney representing Jimmy Dimora, an individual incarcerated at Elkton who is on the list of 837 Medically-Vulnerable Subclass members that has been filed publicly in this action.
3. On April 4, 2020, I faxed a letter to the Warden of FCI Elkton, Respondent Mark Williams, stating that my client should be released under the guidance set by Attorney General Barr in his memorandum of April 3, 2020.
4. On May 1, 2020, I received a letter that had been dated April 21, 2020 from Respondent Williams asserting that Mr. Dimora does not qualify for home confinement because he has not served 50% of his sentence. A true and accurate copy of that letter is attached as Exhibit 1 to this declaration.

5. I have since faxed additional letters to Respondent Williams contesting this determination and/or asking that my client be considered for release under any and all applicable legal sources, including compassionate release, furlough, or other mechanisms. I sent those letters on May 2, May 7, and May 9.
6. On May 13, I wrote and faxed to Respondent Williams another letter explaining that the recent release from FCI Loretto of Paul Manafort, who has not served nearly 50% of his 7.5 year sentence, demonstrates that there is no 50% requirement as Respondent Williams claimed in his April 21 letter.
7. I have received no further response from Respondent Williams. Although I firmly believe that Respondent Williams should reconsider the position articulated in his April 21 letter, and may be doing so without my direct knowledge, I have not received any confirmation to that effect.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 14, 2020.



David Mills

Exhibit 1



U.S. Department of Justice

Federal Bureau of Prisons

Federal Correctional Institution

Elkton, Ohio 44415

April 21, 2020

David E. Mills, Esq.
The Mills Law Office LLC
1300 West Ninth Street
Suite 636
Cleveland, OH 44113

RE: DIMORA, James
Register No.: 56275-060

Dear Mr. Mills:

This is response to your letter received on April 10, 2020, concerning James Dimora, Register No.: 56275-060, an inmate currently confined at the Federal Correctional Institution, Elkton, Ohio. Specifically, you inquire about the status of your client and the potential for placement into Home Confinement in response to COVID-19 under the Cares Act.

Inmate Dimora arrived at the FCI Elkton on March 22, 2017, as a Lesser Security Transfer from the Federal Correctional Institution, Beckley, West Virginia.

He is serving an aggregated 336-month term for Filing False Tax Returns, Conspiracy to Commit Bribery Concerning Programs Receiving Federal Funds, Conspiracy to Obstruct Justice, Conspiracy to Commit Mail Fraud and Honest Service Mail Fraud, Hobbs Act Conspiracy, Bribery Concerning Programs Receiving Federal Funds, Destruction, Alteration, Falsification of Records in Federal Investigations, and Racketeer Influence/Corrupt Organization Conspiracy. He currently has a projected release date of August 21, 2036, via Good Conduct Time release procedures.

In response to the COVID-19 pandemic, a number of criteria were established based off of the Attorney General directive and the Cares Act. Because inmate Dimora has served less than 50% of his court ordered sentence, he is not eligible for placement on Home Confinement at this time.

I trust this response addresses your concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark K. Williams", is written over a horizontal line.

Mark K. Williams,
Warden